

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

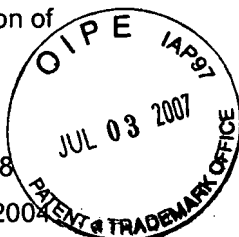
Atty SCS-540-527
Dkt.

BRIANCOURT

Serial No. 10/511,848

Filed: October 26, 2004

Title: LANDING GEAR DOOR ASSEMBLY



TC/A.U.

C# M#

3644

Examiner: S. Holzen

Date: July 3, 2007

Mail Stop Non-Fee AmendmentCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.**
Fees are attached as calculated below:

Total effective claims after amendment **18** minus highest number
previously paid for **20** (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment **1** minus highest number
previously paid for **3** (at least 3) = 0 x \$200.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
\$360.00 (1203)/\$180.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)
One Month Extension \$120.00 (1251)/\$60.00 (2251)
Two Month Extensions \$450.00 (1252)/\$225.00 (2252)
Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)
Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)
Five Month Extensions \$2160.00 (1255)/\$1080.00 (2255) \$

Terminal disclaimer enclosed, add \$130.00 (1814)/\$65.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$ 0.00

Assignment Recording Fee \$40.00 (8021) \$ 0.00

Other: \$ 0.00

TOTAL FEE \$ 0.00
☐ **CREDIT CARD PAYMENT FORM ATTACHED.**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: Stanley C. Spooner, Reg. No. 27,393

Signature: 



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

BRIANCOURT

Atty. Ref.: 540-527; Confirmation No. 6261

Appl. No. 10/511,848

TC/A.U. 3644

Filed: October 26, 2004

Examiner: S. Holzen

For: LANDING GEAR DOOR ASSEMBLY

* * * * *

July 3, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR RECONSIDERATION

This Request is responsive to the Official Action mailed May 3, 2007 (Paper No. 20070429), the date of response to which is July 3, 2007.

Claims 1-5 and 7-17 stand allowed, with claims 19 and 20 objected to in the outstanding Official Action. Claims 1-5, 7-17, 19 and 20 remain in this application.

Telephone Interview Conducted May 9, 2007

Applicant contacted Supervisory Primary Examiner (SPE) Luu on May 9, 2007 to discuss the lack of any legal basis for objection to claims 19 and 20 as set out in the outstanding Official Action. SPE Luu was familiar with the Board of Patent Appeals and Interferences' decision in the case of *Ex parte Porter*, 25 USPQ2d 1144, 1147 (BOPAI 1992).

Applicant's undersigned representative pointed out that the *Ex parte Pprter* decision clearly indicated that applicants were entitled to draft claims in a "short-hand format to avoid rewriting the particulars" of a preceding claim. In the present application, claim 19 is dependent upon claim 1 and recites the "aircraft landing gear door assembly" which is recited in Applicant's independent claim 1. Claim 19 is directed to an aircraft including such a landing gear door assembly and therefore, in accordance with *Ex parte Porter*, properly incorporates by reference all of the subject matter and limitations of the aircraft landing gear door assembly recited in claim 1.

The Board's *Ex parte Porter* decision also held that "a claim that incorporates by reference all of the subject matter of another claim, that is, the claim is not broader in any respect, to be in compliance with the 4th paragraph of 35 USC §112." Thus, in the Board's decision, the dependent claim did limit the claim from which it depended by including the additional limitations, i.e., claim 1 is limited not just to a landing gear door assembly, but as per claim 19, **an aircraft** including a landing gear door assembly. Clearly the Board's decision has given approval to Applicant's "short-hand format" and has held that a dependent claim such as claim 19 clearly limits a claim from which it depends, i.e., claim 1. Clearly claim 20 further limits claim 19 and also meets the requirement of the 4th paragraph of 35 USC §112.

It was also agreed during the telephone interview that Applicant would submit a short response pointing out the decision in the *Ex parte Porter* case and requesting reconsideration of the objection to claims 19 and 20.

Having responded to all objections and rejections set forth in the outstanding Official Action, it is submitted that claims 1-5, 7-17, 19 and 20 are in condition for allowance and notice

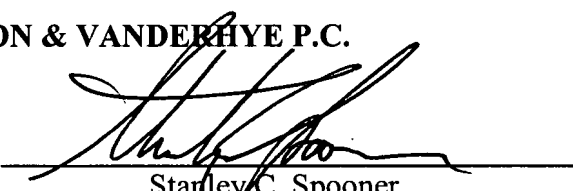
BRIANCOURT
Appl. No. 10/511,848
July 3, 2007

to that effect is respectfully solicited. In the event the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, he is respectfully requested to contact Applicant's undersigned representative.

Respectfully submitted,

NIXON & VANDERHUYE P.C.

By: _____


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